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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEJANDRO GALVAN-SILVESTRE, JR.,

Defendant.

CASE NO. 1:22-cr-00234-NODJ-BAM

STIPULATION REGARDING CONTINUANCE
AND EXCLUDABLE TIME PERIODS UNDER
SPEEDY TRIAL ACT; ORDER

DATE: January 24, 2024
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on January 24, 2024.
2. By this stipulation, defendant now moves to continue the status conference until March 27, 2024, and to exclude time between January 24, 2024, and March 27, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes investigative reports produced in electronic form. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) The government has provided a plea offer to the defendant, which defense
2 counsel has reviewed with her client, who has rejected the offer.

3 c) Counsel for defendant desires additional time to attempt to determine an
4 appropriate resolution of this matter.

5 d) Counsel for defendant believes that failure to grant the above-requested
6 continuance would deny them the reasonable time necessary for effective preparation, taking into
7 account the exercise of due diligence.

8 e) The government does not object to the continuance.

9 f) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendants in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of January 24, 2024 to March 27,
14 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
15 T4] because it results from a continuance granted by the Court at defendant's request on the basis
16 of the Court's finding that the ends of justice served by taking such action outweigh the best
17 interest of the public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

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1 IT IS SO STIPULATED.

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3 Dated: January 16, 2024

PHILLIP A. TALBERT
United States Attorney

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5 /s/ KAREN A. ESCOBAR
KAREN A. ESCOBAR
6 Assistant United States Attorney

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9 Dated: November 1, 2023

10 /s/ CHRISTINA M.
CORCORAN
11 CHRISTINA M. CORCORAN
Counsel for Defendant
12 ALEJANDRO GALVAN-
13 SILVESTRE, JR.

14
15 **ORDER**

16 IT IS SO ORDERED that the status conference is continued from January 24, 2024, to **March 27,**
17 **2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.** Time is excluded
18 pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv). **However, in any request for a continuance, the parties**
19 **shall explain when they will be ready to set a trial date.**

20 IT IS SO ORDERED.

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22 Dated: **January 17, 2024**

/s/ *Barbara A. McAuliffe*
23 UNITED STATES MAGISTRATE JUDGE